



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

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DIVISION OF SOCIAL JUSTICE
CIVIL RIGHTS BUREAU

January 31, 2024

By Electronic Filing

Hon. Colleen McMahon, U.S.D.J.
United States District Court, Southern District of New York
Daniel Patrick Moynihan Courthouse, 500 Pearl Street
New York, New York 10007

Re: *In re: New York City Policing During Summer 2020 Demonstrations,*
No. 20-CV-8924
This Letter is Related to All Cases

Dear Judge McMahon:

We write to clarify for the Court Plaintiffs' answer to a question raised at Monday's conference regarding whether the action by the Office of the New York State Attorney General is an "enforcement action" for the purposes of applying the analysis under *U.S. SEC v. Citigroup Global Markets, Inc.*, 752 F.3d 285 (2d Cir. 2014). Section 75 of the New York State Executive Law was cited as a basis for the OAG's action, but Plaintiffs should have cited Section 63(1) of that Law, which authorizes the Attorney General to enforce state and federal laws by prosecuting actions in which the state is interested. *See* Am. Compl. ¶ 16, Dkt. No. 21-CV-322.

Sincerely,

s/ Lillian Marquez

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CC: All counsel of record